

CASCADE AQUA FARMS  
TILTON RIVER HATCHERY  
MITIGATION AGREEMENT

Purpose of Agreement

This Agreement is made between Cascade Aqua Farms (Cascade) and the Washington State Department of Wildlife (WDW).

Cascade proposes to construct a fish hatchery on the Tilton River for the purpose of raising fish commercially. This hatchery will use up to 20 cubic feet per second (cfs) of Tilton River water to operate. The reduction of streamflow of the Tilton River caused by Cascade's withdrawal will negatively impact the fish and wildlife resources of the Tilton River. This Agreement details the mitigation which Cascade Aqua Farms shall provide to mitigate for the impacts of Cascade's hatchery.

Authorities

The mitigation identified in this Agreement is based on and in compliance with Department of Wildlife Policy No. 3200, Standards for Mitigating Impacts of Streamflow Modification, attached and incorporated by reference as Attachment A.

Assignment

This Agreement shall be binding on and for the benefit of the parties and their successors and assigns.

Location

The proposed hatchery is located along the Tilton River in Lewis County, Sections 26 and 27, Township 13N, Range 3E WM.

Funding and Mitigation Responsibility

Cascade is responsible for funding all aspects of this Agreement except as provided in this section. All mitigation requirements listed below are the responsibility of Cascade unless specifically indicated otherwise. Operation and maintenance of the mitigation features are the responsibility of Cascade. Costs of monitoring, inspections, and activities associated with compliance with the mitigation agreement that are incurred by the WDW are the responsibility of the WDW.

Mitigation

Cascade shall construct a hatchery discharge channel which will utilize the hatchery discharge water to create a new habitat for resident fish and wildlife. The discharge channel shall be designed to create functional, high quality year round resident fish habitat. The channel design will incorporate features to provide spawning, rearing, feeding and over-wintering habitat for the life of the Cascade hatchery operations. However, at the end of a five year period post-construction, if no young of the year are located in the mitigation channel, then, in lieu of natural spawning, Cascade agrees to stock 2500 rainbow trout (1000 legal size and 1500 fingerlings) at the hatchery outfall, every year for the duration of the project as mitigation.

Wildlife habitat enhancement measures shall be included in the design as a secondary mitigation measure.

Mitigation Channel Design

1. The mitigation channel shall be at least 750 feet in length from the hatchery facility outlet to the Tilton River. Length shall be maximized by constructing meanders and bends. This will increase channel sinuosity. Channel sinuosity shall be no less than 1.5,

per Platts, et al. 1983, Methods for Evaluating Stream, Riparian and Biotic Conditions, Attachment B.

2. Channel width shall be variable, ranging from 15 to 30 feet. The channel shall be narrow at some bends or riffles and wide at pools or high gradient riffles and shall include some areas of flat banks or gravel bars.
3. Channel gradient shall be 0.5 to 1.5 percent overall.
4. Pool to riffle ratios shall range from 40:60 to 50:50. Pools and riffles shall be distributed throughout the length of the entire mitigation channel.
5. A minimum of five log weirs shall be constructed and distributed throughout the channel. Logs shall be imbedded at least 5 feet into each bank. Banks at each weir shall be well armored for at least 5 to 10 feet upstream of the structure. The jump height from the surface of the pool to the top of the log (in the notch) shall be 8 to 12 inches at 20 cfs. Resulting plunge pools associated with each weir structure shall be 4 to 5 feet deep, 12 to 20 feet wide and 20 to 25 feet long. Guidelines for weir design and construction are provided in Attachment C.
6. Pool depth shall range from 4 to 5 feet in association with weirs to 0.7 feet in depth in pocket water pools distributed throughout the channel. Boulders, trees, cut brush, variable bank slopes and channel width shall be incorporated to ensure an adequate distribution and variety of pools throughout the mitigation channel.
7. Bank slope shall be variable and shall range from undercut banks (90 to 160 degrees) to shallow, flat banks (approximately 20 degrees or a ratio of 4 to 5 feet horizontally to 1 foot vertically).
8. Streambed substrate in riffles shall provide spawning habitat. Desired future condition of the riffles in the mitigation channel is as follows:
  - a) Spawning gravels shall comprise 50-70% of the riffle habitat;
  - b) < 20% fines (< 1/4 inch diameter);
  - c) approximately 60% gravels suitable for spawning (1/4-2 inch diameter);
  - d) < 20% cobble/rubble (< 4 inches diameter).

It is recognized that the location and distribution of the spawning areas will have to be determined after the channel has stabilized. Consequently, two years after completion of construction and watering of the mitigation channel, Cascade shall begin work to meet the desired future condition specified above. Work shall be completed within one year and may involve adding clean spawning gravels per WDW specifications.

9. Total cover habitat shall exceed 25 percent throughout the channel excluding pools as a cover type. Cover types shall include both overhead cover and submerged cover. Cover habitat shall be provided by placing and maintaining root wads, boulders, large rocks, cabled trees (with branches) or other woody debris throughout the channel. At least two root wads or logs per 100 feet of channel length shall be maintained. Additional cover shall be developed with overhanging vegetation, aquatic vegetation, undercut banks, turbulent water and large rocks or spaces between large substrate.
10. Habitat provided by pools greater than 1.5 feet by 1.5 feet shall have a mean quality rating of 3 per Platts, et al., 1983.

Riparian Habitat

1. Existing vegetation, including large trees and brush, shall be maintained on the north side of the mitigation channel. Construction may necessitate partial and localized removal of vegetation on the south bank of the mitigation channel. Vegetation removal on the south bank shall be minimized to the greatest extent possible. One year after completion of the mitigation channel construction and watering, all vegetation disturbed on the south bank which has not recovered shall be replaced. Plantings shall include cottonwood and willow plugs to enhance fish cover and provide for long term recruitment of large woody debris into the mitigation channel.
2. A minimum 50-foot vegetated buffer zone shall be maintained along each bank of the mitigation channel to provide bank stability, cover, shading and wildlife habitat. The buffers shall extend the full length of the mitigation channel.
3. Vegetation shall not be removed by any methods, including chemicals, from the buffer. Buffers are to be managed to encourage large tree growth. All trees and snags shall be left along the banks to provide wildlife habitat and recruitment of large organic debris into the mitigation channel through time. Exceptions to this provision must be specifically approved by WDW.

Fish Passage

1. The mitigation channel shall have a low slope and a wide inclined plane screen at the upstream end. The screen shall have a Jump Stop Fence to prevent fish in the mitigation channel from entering the Cascade facilities. The jump fence will also provide for re-oxygenation of water as it passes through the screen.
2. Fish passage shall be maintained into and out of the mitigation channel at the confluence with the Tilton River and within the mitigation channel at all times. Fish passage in the Tilton River shall be maintained at all times.

Water Quality

1. Cascade shall install and maintain recording thermographs in the upstream end of the hatchery intake and in the upstream end of the mitigation channel, from the period of July 1 to October 31 of every year.
2. Dissolved oxygen (DO) of waters entering the mitigation channel shall be no less than 7.5 mg/L.
3. Water temperature in the mitigation channel shall not be greater than 1.5 degrees Fahrenheit higher than the temperature of the Tilton River at the point of intake.
4. Suspended sediments in the mitigation channel shall not exceed 5 NTU's over levels within the Tilton River at the intake and will preferably be less than 25 mg/L.
5. The pH in the mitigation channel shall range from 6.5 to 7.5 without abrupt changes.
6. No chemicals or toxic materials that may reduce fish production and survival shall be permitted in the mitigation channel.
7. The project shall comply with all provisions specified in the NPDES Waste Water Discharge Permit issued by the Department of Ecology.

## Flow Requirements

1. Cascade shall install and maintain an automatic staff gauge in the downstream end of the mitigation channel. This device shall be used to assess Cascade's water withdrawal from the Tilton River and flows through the mitigation channel June through October.
2. Cascade shall be permitted to withdraw a maximum of 20 cfs from the Tilton River for hatchery operations except when the Tilton River instream flows, as measured at the diversion, drop below 65 cfs. During periods of Tilton River flow below 65 cfs, a minimum flow of 45 cfs must be maintained in the diversion reach of the Tilton. During these low flow periods, Cascade shall only divert the flow available above the minimum 45 cfs.
3. The parties understand that Tilton River instream flows may drop below 65 cfs during the summer low flow period of at least some years. Therefore, Cascade will have to reduce or eliminate its diversion from the Tilton River during the summer low flow period of those years. Cascade agrees to do this even if it means complete loss of all fish present in the hatchery.
4. Cascade shall install a pumping station in the Tilton River, 15 feet upstream from the point of discharge of the mitigation channel. In the event of low Tilton River flows as described above, this pump station shall remove no less than 5 cfs, nor more than 10 cfs from the river. The purpose of this flow regime is to provide minimum flows for maintenance of fish habitat values within the mitigation channel. This flow may be routed through the rearing ponds prior to discharge to the mitigation channel to maintain hatchery operations. A minimum flow of 5 cfs shall be maintained throughout the mitigation channel at all times.

## Reporting Requirements

1. Cascade shall provide a detailed written description and corresponding photo-documentation of the completed mitigation channel within three months following the watering of the mitigation channel. Permanent photo points shall be established per WDW approval every 100 feet along the channel for long-term documentation of channel, bank and riparian habitat conditions. The report shall contain a detailed narrative description of the completed project. The mitigation channel shall be mapped with plan, profile and cross section drawings to show final configuration.
2. Within three months of watering of the mitigation channel, the habitat in the mitigation channel will be evaluated by Cascade. A narrative description documenting channel condition, changes and development shall be provided. The evaluation is to include photographs taken at predesignated photo points. Forms D, E and F from the WDW Stream Survey Guidelines shall be completed for the entire mitigation channel. Portions of forms A and B from the Stream Survey Guidelines shall be completed. Forms and instructions are provided in Attachment D.

Survey transect frequency and locations shall be determined by WDW. These surveys shall be repeated by Cascade at year three and every fifth year thereafter following initial watering of the mitigation channel. Results shall be delivered in December of reporting years in form of a completed report to the Department of Wildlife, Region Five Habitat Program Manager, or said designee at 5405 N.E. Hazel Dell Avenue, Vancouver WA 98663-1299.

3. Cascade shall determine the extent and condition of the spawning gravel in the mitigation channel two years after completion of the mitigation channel and yearly thereafter until the fifth year post-construction. If no young-of-the-year are located in the mitigation channel after the fifth year, this requirement is void.

If young-of-the-year are located, however, this requirement shall continue for the duration of the project.

Methodology used to ascertain gravel condition shall be approved in advance by WDW. Findings of spawning gravel surveys will be supplied to WDW within three months of the surveys.

4. Water quality and quantity monitoring shall be accomplished by Cascade. Results of the monitoring shall be reported to WDW. Copies of reports submitted to Department of Ecology are acceptable, provided that the following information is included:
  1. hourly readings from the recording thermographs;
  2. flow data from the staff gauge;
  3. DO of the mitigation channel flow;
  4. pH of the mitigation channel flow;
  5. suspended sediment levels of the mitigation channel flow.

The above information must be included in the reports to the WDW.

These reports shall be mailed monthly (unless conditions warrant a change to this reporting schedule), to the WDW Region Five Habitat Program Manager, or said designee, from the period of July 1 to October 31 of each year.

#### Operations and Maintenance.

As stated in the Mitigation section above, the channel will be designed to provide spawning habitat. It is recognized that these mitigation efforts have the potential for failure. To minimize this possibility, intensive efforts at producing natural spawning shall be undertaken for a period of five years after the construction. This effort shall include active cleaning of gravels (method specified below), and may include introduction of new spawning gravels every year after the second year to bring the amount of gravel in the mitigation channel back to design specifications. If natural salmonid spawning is noted in year three, four or five, Cascade agrees to maintain all features of the mitigation channel including gravel conditions.

1. Spawning gravels shall be cleaned by passing flushing flows two (2) times every year, on October 1 and March 1. Flows through the mitigation channel shall be sufficient to remove silts but not erode or damage the instream structures described under mitigation Channel Design. The duration of the flushing flows shall be not less than four (4) hours nor more than twelve (12) hours. Adjustments to this schedule, duration or methodology may be made if agreed to in advance by WDW and Cascade.
2. Cascade shall be responsible for maintaining or providing the streambed substrate composition specified in Section 8 under Mitigation Channel Design, in years three, four and five. After the fifth year, if no young-of-the-year are located in the mitigation channel, this gravel maintenance requirement shall no longer apply. If young-of-the-year are located, however, gravel maintenance and conditions shall continue for the life of the project.
3. Cascade shall maintain the instream structures, habitat characteristics and function of the mitigation channel and all other mitigation features described in this Agreement as long as the hatchery exists. Exception to gravel maintenance may be granted as specified above.
4. No hunting or fishing is permitted in the mitigation channel or associated buffers.

5. No predator control shall be conducted in the mitigation channel or buffer unless specifically authorized by the Department of Wildlife.
6. The Department of Wildlife retains rights of inspection (including electrofishing in the mitigation channel) within reasonable hours without requirement of notification for the purpose of verifying compliance with the terms of this mitigation Agreement. Department personnel will check in with hatchery personnel upon arrival in the event disinfection procedures are necessary.

#### Inclusions

Maps, drawings and work descriptions submitted by Cascade for WDW approval are attached and incorporated by reference as Attachment E.

#### Duration of Agreement

This Agreement shall become effective upon signature of all parties and remain in effect as long as the Cascade hatchery operates.

#### Modifications

This Agreement shall be modified only by writing and only with the written consent of both parties.

#### Performance Bond and Enforcement

1. A performance bond of \$20,000.00 shall be required for construction of the mitigation features contained in this Agreement. After completion of construction, the bond value may be reduced to \$5,000.00 for the second through fifth year. At that time, the bond value may be reduced to \$2,500.00 and be maintained for the life of the project. Said bond shall be held by a surety company licensed to operate in Washington State.
2. In the event that Cascade fails to perform the mitigation actions outlined above and the problems are not rectified by Cascade to the satisfaction of WDW, the performance bond will become due and payable to the Department of Wildlife for the Department to use in its sole discretion to correct the problem or mitigate damages.
3. If Cascade fails to reduce its diversion from the Tilton River as described in "Flow Requirements", WDW may close the water diversion device and revoke permits, resulting in closure of the hatchery.
4. Cascade accepts responsibility for any fish kill occurring in the mitigation channel as a result of Cascade's activities. Should a fish kill occur, Cascade will reimburse WDW for the value of the fish lost, plus WDW staff time spent in evaluating the kills.
5. This Agreement may also be enforced through normal legal channels and/or enforcement citations for noncompliance pursuant to the hydraulic code, RCW 75:20:100-106.

#### Contact Persons:

For purposes of implementing this Agreement, the parties agree that the following individuals shall be designated by each to be the primary contact person:

#### Department of Wildlife:

Gene Tillett, Regional Manager  
Washington Department of Wildlife  
5405 N.E. Hazel Dell Avenue  
Vancouver, WA 98663-1299.

Cascade:

Brian Mencke  
814 King Road  
Winlock, WA 98596

Notices

All written notices to be given pursuant to this Agreement shall be mailed by first class mail or overnight express service, postage prepaid, to the identified contact person for each party at the address listed above or such subsequent address as a party shall identify by written notice to all parties. Notices shall be deemed to be given five (5) working days after date of mailing.

Schedule of Construction

If construction of the hatchery facility, including mitigation features, has not commenced within three years of the last signature date of this document, this Agreement shall be void. Any plans for start up of hatchery construction beyond three years after signing of this Agreement shall require renewed negotiations for mitigation prior to any construction.

Department of Wildlife Anadromous Reintroduction

It is understood by all parties to this agreement that WDW and the Washington Department of Fisheries are reintroducing or intend to reintroduce anadromous fish (steelhead trout, Chinook salmon, coho salmon) into the Tilton River system. WDW assumes no liability for the health of the fish in the Cascade hatchery, which may be impacted by diseases carried by these reintroduced fish.

MITIGATION AGREEMENT

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Authorizing Signatures

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as below subscribed.

Ray Ryan 5/28/92 Date  
Director Washington Department of Wildlife

STATE OF WASHINGTON )  
County of Thurston )ss

On this day personally appeared before me to me Ray Ryan known to be the individual described in and who executed the within and foregoing instrument and acknowledged the same as free and voluntary act and conveyance for the uses and purposes therein mentioned.

Given under my hand and official seal this 28<sup>th</sup> day of May, 1992.

Tracy L. Clark Notary Public in and for the State of Washington  
Residing at Olympia. My Commission expires 3-19-93.

Brian Mencke 5/5/92 Date  
Owner, Cascade Aqua Farms

STATE OF WASHINGTON )  
County of Cowlitz )ss

On this day personally appeared before me to me Brian Mencke known to be the individual described in and who executed the within and foregoing instrument and acknowledged the same as free and voluntary act and conveyance for the uses and purposes therein mentioned.

Given under my hand and official seal this 5<sup>th</sup> day of June, 1992.

V. G. A. Graham Notary Public in and for the State of Washington  
Residing at K.C. Ave.. My Commission expires 01-15-96

Approved as to form:

William C. Frymire 6-1-92 Date  
Assistant Attorney General

STATE OF WASHINGTON )  
County of Thurston )ss

On this day personally appeared before me to me William C. Frymire known to be the individual described in and who executed the within and foregoing instrument and acknowledged the same as free and voluntary act and conveyance for the uses and purposes therein mentioned.

Given under my hand and official seal this 1<sup>st</sup> day of June, 1992.

Christine M. Scho Notary Public in and for the State of Washington  
Residing at Olympia. My Commission expires July 8, 1994





# HYDRAULIC PROJECT

## APPROVAL

(R.C.W. 75.20.100)

(R.C.W. 75.20.103)

4 April 29, 1992

(applicant should refer to this date in all correspondence)

PAGE 1 OF 3 PAGES

DEPARTMENT OF WILDLIFE

600 CAPITOL WAY N.

OLYMPIA WASHINGTON 98501-1091

(206) 753-5897

10 APPLICANT NAME Cascade Aqua Farms		18 CONTACT PHONE(S) (206) 985-2046		1 CONTROL NUMBER 01-83582-01	
19 STREET OR RURAL ROUTE 814 King Road ATTN: Brian Mencke				9 WRIA 26	
CITY Winlock		STATE WA		ZIP 98596	
12 WATER Tilton River		TRIBUTARY TO Cowlitz River		14 82 15 18	
13 QUARTER SECTION SW		SECTION 26		TOWNSHIP 13N	
		RANGE(E-W) 03E		COUNTY Lewis	
				11 TYPE OF PROJECT Water Diversion - Intake and Outfall & Hatchery Const.	
TIME LIMITATIONS:		5 THIS PROJECT MAY BEGIN August 1, 1992		6 AND MUST BE COMPLETED BY September 30, 1992	

THIS APPROVAL IS TO BE AVAILABLE ON THE JOB SITE AT ALL TIMES AND ITS PROVISIONS FOLLOWED BY THE PERMITTEE AND OPERATOR PERFORMING THE WORK.

**SEE IMPORTANT GENERAL PROVISIONS ON REVERSE SIDE THAT ARE ALSO PART OF THIS APPROVAL.**

### GENERAL:

1. This permit is for the construction of a hatchery intake structure, a low head check dam, across the Tilton River, a hatchery outfall structure in the Tilton River, and associated instream work as specified in the mitigation agreement attached hereto.
2. Cascade shall comply with the terms of the attached Cascade Aqua Farms Tilton River Mitigation Agreement, which is incorporated by reference.
3. Work shall conform to plans and specifications submitted with the Hydraulic Project Application except as modified by this approval.
4. A minimum of 72 hours prior to commencing work, contact Agent Jim Knodel at (206) 696-6211, and the Habitat Biologist listed below, and provide the legal description, control number of this permit, and proposed starting date of the operation.
5. A copy of this permit, the attached mitigation agreement, and complete construction plans shall remain on site at all times during the construction phase of the project. The work site shall remain open to Department representatives at all times.

SEPA: DNS, Lewis County, August 1989

HABITAT BIOLOGIST: Bob Bicknell (206) 274-9814

AGENT: Jim Knodel, P-1, Suhadolnik

APPLICANT - FISHERIES - AGENT - INVESTIGATOR - REGION - OLYMPIA:

DEPARTMENT OF WILDLIFE

DIRECTOR

THIS APPROVAL IS TO BE AVAILABLE ON THE JOB SITE AT ALL TIMES  
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PERFORMING THE WORK

THE PERSON(S) TO WHOM THIS APPROVAL IS ISSUED MAY BE HELD LIABLE FOR ANY INJURY OR DAMAGE TO FISH LIFE OR FISH HABITAT WHICH RESULTS FROM FAILURE TO COMPLY WITH THE PROVISIONS OF THIS APPROVAL.

FAILURE TO COMPLY WITH THE PROVISIONS OF THIS APPROVAL COULD RESULT IN A CIVIL PENALTY OF UP TO ONE HUNDRED DOLLARS PER DAY OR A GROSS MISDEMEANOR CHARGE POSSIBLY PUNISHABLE BY FINE OR IMPRISONMENT.

ALL HYDRAULIC PROJECT APPROVALS (HPA) ISSUED PURSUANT TO RCW 75.20.100 ARE SUBJECT TO ADDITIONAL RESTRICTIONS, CONDITIONS, OR REVOCATION IF THE DEPARTMENT OF FISHERIES OR DEPARTMENT OF WILDLIFE DETERMINE THAT NEW BIOLOGICAL PHYSICAL INFORMATION INDICATES THE NEED FOR SUCH ACTION. THE PERMITTEE HAS THE RIGHT PURSUANT TO CHAPTER 34.04 RCW TO APPEAL SUCH DECISIONS. ALL HYDRAULIC PROJECT APPROVALS ISSUED PURSUANT TO RCW 75.20.103 MAY BE MODIFIED BY THE DEPARTMENT OF FISHERIES OR DEPARTMENT OF WILDLIFE DUE TO CHANGED CONDITIONS AFTER CONSULTATION WITH THE PERMITTEE: PROVIDED HOWEVER, THAT SUCH MODIFICATIONS SHALL BE SUBJECT TO APPEAL TO THE HYDRAULIC APPEALS BOARD ESTABLISHED, IN RCW 75.20.130.

THIS APPROVAL PERTAINS ONLY TO THE PROVISIONS OF THE FISHERIES AND WILDLIFE CODES. ADDITIONAL AUTHORIZATION FROM OTHER PUBLIC AGENCIES MAY BE NECESSARY FOR THIS PROJECT.

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APPEALS - GENERAL INFORMATION

IF YOU WISH TO APPEAL DENIAL OR CONDITIONS OF AN HPA, THERE ARE INFORMAL AND FORMAL APPEAL PROCESSES AVAILABLE.

A. INFORMAL APPEALS:

AN INFORMAL APPEAL (WAC 220-110-340) CONSISTS OF CONTACTING THE AREA HABITAT BIOLOGIST AND DISCUSSING YOUR CONCERNS. MOST PROBLEMS ARE RESOLVED AT THIS LEVEL, BUT IF NOT, YOU MAY ELEVATE YOUR CONCERNS TO THE ASSISTANT DIRECTOR OF THE HABITAT MANAGEMENT DIVISION IN OLYMPIA. THE HABITAT MANAGEMENT DIVISION ASSISTANT DIRECTOR'S DECISION SHALL BE APPROVED OR DISAPPROVED BY THE DIRECTOR OR DESIGNEE. IF YOU ARE NOT SATISFIED WITH THE RESULTS OF THIS INFORMAL APPEAL, A FORMAL APPEAL MAY BE FILED.

B. FORMAL APPEALS:

1) FOR ALL CIVIL PENALTY APPEALS AND FOR OTHER HPA APPEALS WHICH ARE ASSOCIATED WITH IRRIGATION OR STOCK-WATERING DIVERSIONS, A WRITTEN APPEAL REQUEST MUST BE FILED WITH THE DEPARTMENT THAT ISSUED OR DENIED THE APPROVAL OR LEVIED THE CIVIL PENALTY YOU ARE APPEALING (WAC 220-110-350).

2) FOR APPEALS OF DENIAL OR CONDITIONS OF AN HPA ASSOCIATED WITH IRRIGATION OR STOCK-WATERING DIVERSIONS OTHER THAN CIVIL PENALTY APPEALS, PER WAC 259-04. THE MAILING ADDRESS OF THE APPEALS BOARD IS:

ENVIRONMENTAL HEARINGS OFFICE, BUILDING TWO, ROWE SIX,  
LACEY, WASHINGTON, 98504; TELEPHONE (206) 459-6327.

3) FAILURE TO APPEAL WITHIN 30 DAYS OF THE DATE OF ACTION YOU ARE APPEALING RESULTS IN FORFEITURE OF ALL APPEAL RIGHTS.

# HYDRAULIC PROJECT

## APPROVAL

4 April 29, 1992

(applicant should refer to this date in all correspondence)

PAGE 2 OF 3 PAGES

10 APPLICANT NAME  
Cascade Aqua Farms

1 CONTROL NUMBER  
01-83582-01

### INTAKE CONSTRUCTION:

6. The construction shall be separated from state waters by the use of a dike, cofferdam, or similar mechanism. All work shall be done in the dry.
7. If high flow conditions are encountered during this project that may overtop or erode the berms, work shall stop and equipment shall be removed from within the ordinary high water line (OHWL) until the flow subsides.
8. The work window specified above may be lengthened if the low flows persist into October. Written authorization may be obtained from the habitat biologist listed on page 1 with 72 hours lead time.
9. Any fish trapped as a result of these operations shall be captured and relocated to a flowing portion of the stream.
10. Drive mechanisms of wheeled or tracked equipment shall not enter the wetted perimeter. Parts of equipment (buckets, blades) entering the watercourse shall be steam-cleaned prior to entry.
11. Water remaining in the work site after the dewatering berm is constructed or that seeps, flows, or enters into the work site shall be pumped to the described and specified holding pond to allow settling of fines. This water shall be treated and released in accordance with DOE water quality standards.
12. Only river gravel shall be used for berm construction.
13. Extreme care shall be taken to assure no deleterious materials such as fresh cement, concrete, lime, petroleum products, chemicals, etc., enter the water.
14. There shall be no concrete poured into the water. In the event of a catastrophic spill, contact DOE (206 753-2353 and WDW (206 696-6211) immediately.
15. All concrete structures shall be cured for a minimum of ten days prior to contact with the water.
16. As specified on the plan drawing, riprap armor of the ends of the check dam shall not exceed fifty (50) feet upstream and fifty (50) feet downstream.
17. Armoring rock shall be placed on the bank with a backhoe, working around existing trees as much as possible.
18. River gravels or other round cobble shall not be used as exterior armor or riprap.
19. All bank protection material shall be of large enough size to prevent its being washed away during high water.
20. Screen mesh shall not exceed three (3) millimeters (mm).
21. Approach velocities over the screens shall not exceed 0.2 feet per second.

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1 CONTROL NUMBER  
01-83582-01

22. Adequate flows for upstream and downstream passage for both adult and juvenile fish shall be maintained at all times through at least one of the fish ladders on the weir for the life of the structure.

### MITIGATION CHANNEL CONSTRUCTION:

23. All construction work associated with the mitigation channel shall be performed in the dry.
24. All logs and trees used for bank stabilization and instream cover shall be fastened securely to the bank or to anchors by cable or other methods to prevent them from washing downstream during high water.
25. All features of the mitigation channel shall be constructed as specified on the attached plans, as modified by this approval.

### OUTFALL CONSTRUCTION:

26. The outfall shall be constructed in the dry.
27. Fish passage into and out of the mitigation channel shall be maintained at all times and for the life of the hatchery.
28. The outfall structure shall be armored so as to prevent scouring or destabilization by high flows from either the Tilton River or the mitigation channel.

NOTE: Other permits may be required for this project. These include but are not limited to a Corps of Engineers 404 permit for wet-land impacts, water rights and water quality modifications from Department of Ecology (DOE), NPDES permit from DOE under EPA authority, Forest Practice Approval for timber harvest/land clearing from the Department of Natural Resources (DNR).

LOCATION: About 6 miles west of Morton, on the north bank of the Tilton River upstream of the new SR 508 bridge

cc: Gene Tillett  
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